

## Elected Member Briefing – 28 February 2019

Committee Room 1

First Floor, Municipal Building, Garden Place, Hamilton

Time	Topic	HCC Presenter(s)	Open / Closed	Time Req'd (mins)
10.30am	Te Waka – Strategy and Report Process	Jen Baird	Open	30
11.00am	Remits for LGNZ Conference	Sean Hickey Lee-Ann Jordan	Open	45
12.00pm	LUNCH			60
1.00pm	Prostitution Bylaw Review	Riki Manarangi Jen Baird	Open	30
1.30pm	Rates – SUIPs	Matthew Bell	Open	45
2.15pm	MEETING ENDS			



Update for the Mayoral Forum

25 February 2019

Waikato Regional Economic  
Development Agency

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[tewaka.nz](http://tewaka.nz)



# Presentation to Minister Robertson (18 January)

## Progress since last meeting ~8 months ago

We have  
delivered



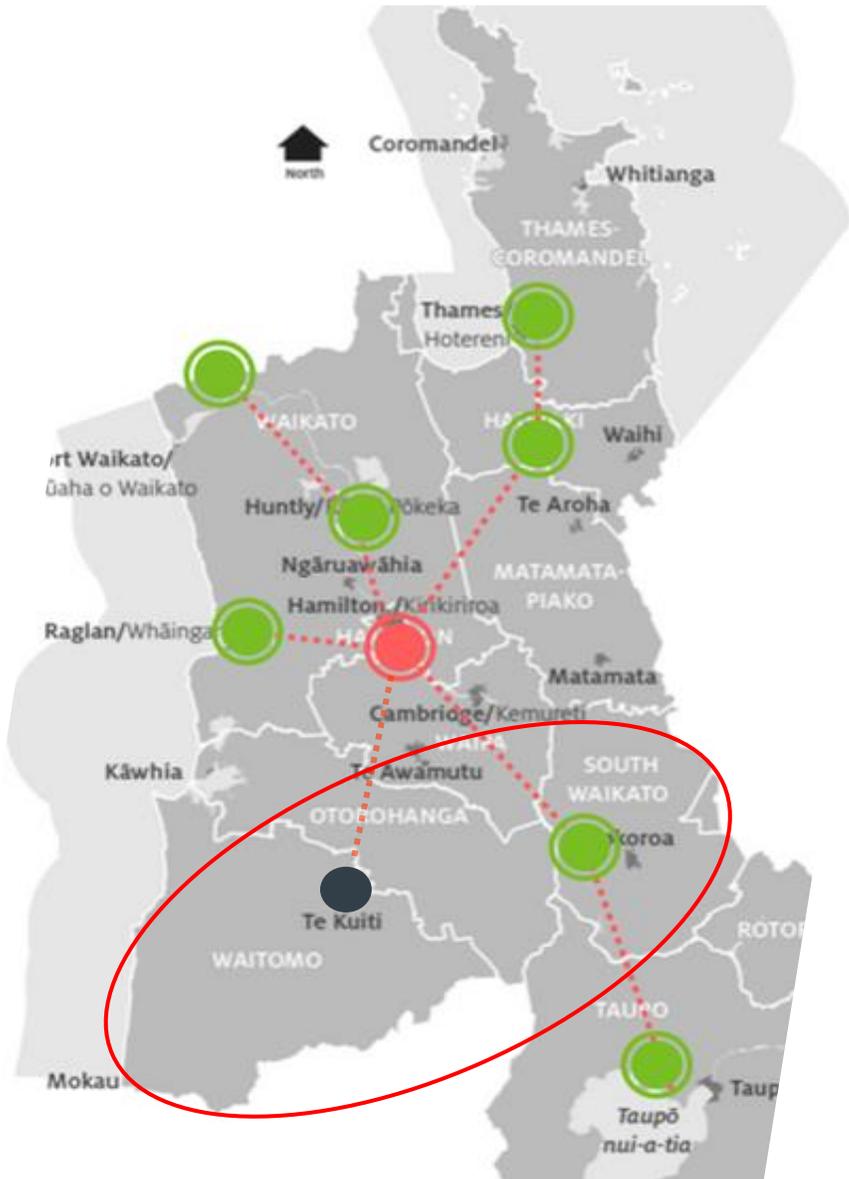
- ▶ Establish the agency
- ▶ Get it funded – resource it
- ▶ Consult and prepare a plan with regional buy-in
  
- ▶ Minister had previously asked Te Waka to bring forward projects
  - ▶ Scale
  - ▶ Wellbeing impact in key areas
  - ▶ Partnerships – not just with Central Government
  - ▶ Create action and cut through

# Limited Short-term Opportunity from Traditional Sectors



- ▶ Limited immediate opportunity for a step change in growth from traditional sectors
- ▶ Growth potential in jobs from traditional sectors is not linked to the locations that require assistance
- ▶ Land use change, innovation, new product and market development will take time to mature
- ▶ Environmental boundaries constrain primary industry intensification, Waikato Regional Plan review
- ▶ Changing from peak cow numbers to new ag/hort jobs takes time

# South Waikato Economic Action Plan



- ▶ Te Waka led with extensive stakeholder engagement
- ▶ Funded by MBIE, Te Waka, Councils
- ▶ Considerable untapped economic potential
- ▶ Mix of sectors, foundations, locations of initiatives
- ▶ Regional Governance Group sign-off to Plan
- ▶ Requires a local/regional/national partnership
  - ▶ \$1.4M to progress validation and planning of projects
  - ▶ \$1M to progress implementation ready projects
  - ▶ \$1M over 3 yrs for capability implementation resource
  - ▶ Total \$3.4M
- ▶ PGF application by Te Waka by end of March
- ▶ **This is a key enabler**

# Authentic tourism infrastructure development



#1 Priority Project  
Waikato Economic Summit

Te Waka o Waikato

Improved tourism infrastructure capability/capacity and  
authentic experiences for visitors

# Tourism cluster leverages Waikato opportunity



- ▶ Waikato region's biggest opportunity is linked tourism infrastructure, industry and operator development
- ▶ Provides jobs in the locations and of the type required in the region
- ▶ Integrates walking/cycle trails and river linkages
- ▶ Fills out the existing Waikato offering of Hobbiton and Waitomo Caves
- ▶ Utilises Waikato's distinctive natural environment and heritage
- ▶ Key links to Kingitanga

# Combining authentic tourism and cultural education



- ▶ **He tangata ...**
- ▶ Leverages the Māori economic powerhouse to incorporate the cultural offering
- ▶ Tells the authentic New Zealand cultural story of Kingitanga, land wars, Tainui waka landing
- ▶ Basis to develop and deliver education curriculum on New Zealand culture and history filling the current void of content and significant demand
- ▶ Close to the large population base that will benefit from educational offering

# Framing paper for Government

Principles for selection of projects:

- ▶ Customer experience and journey within the network
- ▶ Commercially viable and sustainable
- ▶ Local/regional economic benefits
- ▶ Strongly relate to Waikato rivers, their cultural and historic stories and environmental sustainability

Includes SWEAP opportunities

**Circa \$80 - \$100M  
of Government funding**

**plus private and iwi partnerships**

The paper provides the framework and acts as a gateway to assess individual projects within the context of an approved strategy

## **Working Group comprising**

Te Waka	Hamilton Waikato Tourism
Waikato Tainui	Tainui Group Holdings
Tainui Waka Tourism	Momentum Waikato
Waipa, Hamilton and Waikato Councils	Hamilton Airport

# Provincial Growth Fund - update

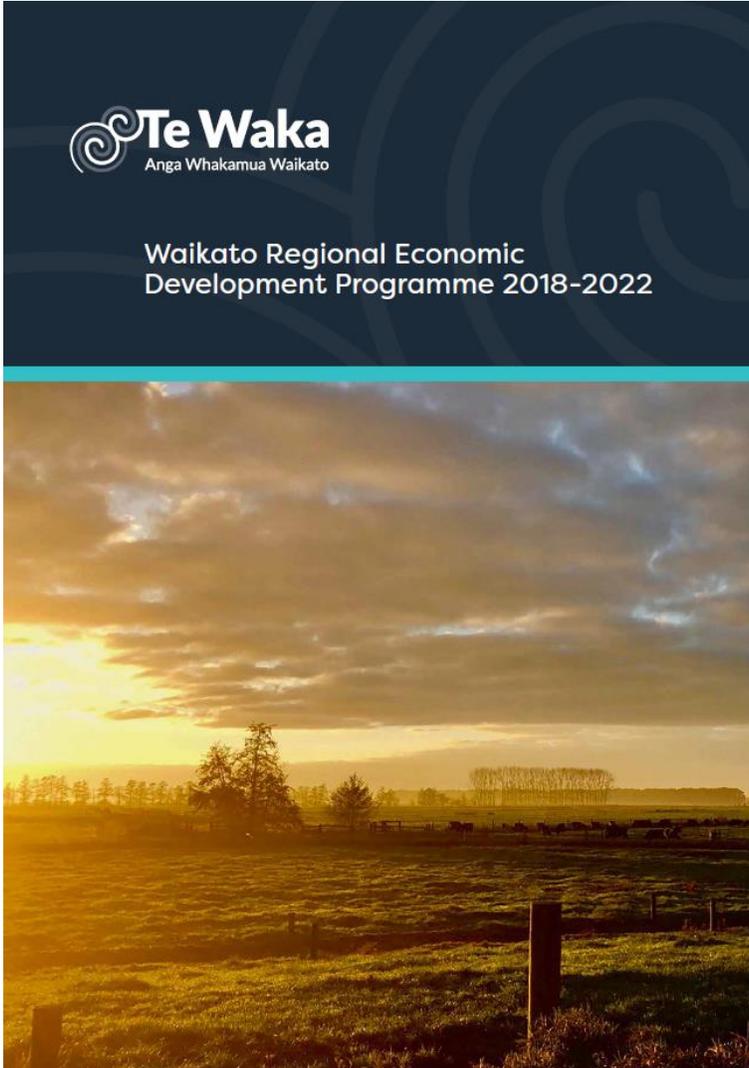
## Pipeline of applications:

- ▶ 37 applications received, 20 EOIs
- ▶ 26 applications/EOIs declined
- ▶ 9 projects approved
- ▶ 11 waiting on further info
- ▶ 8 being assessed

Te Waka asked for guidance about regional priorities and being resourced to support the project pipeline

	Total applied	Total approved
	\$m	\$m
▶ 12 Tourism	4.3	1.0
▶ 8 Food and Beverage, Agriculture	9.1	0
▶ 4 Manufacturing	32	0
▶ 4 Training, Skills and Employment	9.1	0.45
▶ 2 Aviation	1.5	0
▶ 1 ICT/Digital	0.5	0
▶ 3 Aquaculture	1.8	0.92

# Next Six Months



- ▶ Central Government Key Meetings
  - ▶ Minister Jones this week
  - ▶ Mid March meeting in Wellington with Ministers – led by Under Secretary Tabuteau
  - ▶ Key Officials in Wellington
- ▶ Present, drive through and resource Cultural Tourism paper
- ▶ Launch refreshed Maori Economic Action Plan and set up Maori Economic Development Taskforce to support the growth of Maori enterprises
- ▶ Fund and implement SWEAP
- ▶ Complete staff resourcing
- ▶ Support major PGF applications



Update for the Mayoral Forum

25 February 2019

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Development Agency

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# LGNZ Remits

2019

# LGNZ Remit Process

## What is a remit?

A remit is a request for action regarding a matter of a major policy nature. Councils have the opportunity to submit remits to LGNZ each year ahead of the annual LGNZ conference at which member councils will vote for the remits they support. A remit approved at the LGNZ conference by a majority of members has the full support of LGNZ for the relevant matter and action proposed to be progressed.

## Process for submitting a remit

In order to submit a remit to LGNZ, a council must develop a short proposal outlining the nature of the issue, the action sought and provide sufficient information and research to demonstrate the need for the remit. The remit must be supported by 5 councils (including the sponsoring council) or have the support of a zone or sector group meeting and must be sent to LGNZ by 13 May 2018.

# Proposed Timeline (tbc)

Date	Action
28 February 2019	Briefing - Elected Member briefing on remit process
28 March 2019	Briefing – Elected members to discuss and provide direction for remit ideas
11 April 2019	Briefing – Elected members to discuss and provide direction for remit ideas (if required)
18 April 2019	Council Meeting - Remits proposed by HCC considered for approval.
10 May 2019	Metro Sector Meeting - Remits submitted for consideration by other Councils at sector meeting
13 May 2019	Last date for remits to be submitted to LGNZ
27 June 2019	Council Meeting - Elected members will receive and consider all remits that have been submitted to LGNZ to approve the position our council will take on the matter at the LGNZ conference.
7 July 2019	LGZ Annual General Meeting considers remits

# Issues to consider for Remits – Waste Task Force

**Container deposit scheme**

**Developer's responsibilities for planning for waste collection and managing building/construction waste**

**Packaging reduction (getting responsibility to fall on the producer rather than consumer)**

**More immediate power (i.e. in bylaws) over long-term powers**

# Other issues for consideration

Any others?

# Prostitution Bylaw Review Briefing - February 2019



# Purpose of Presentation

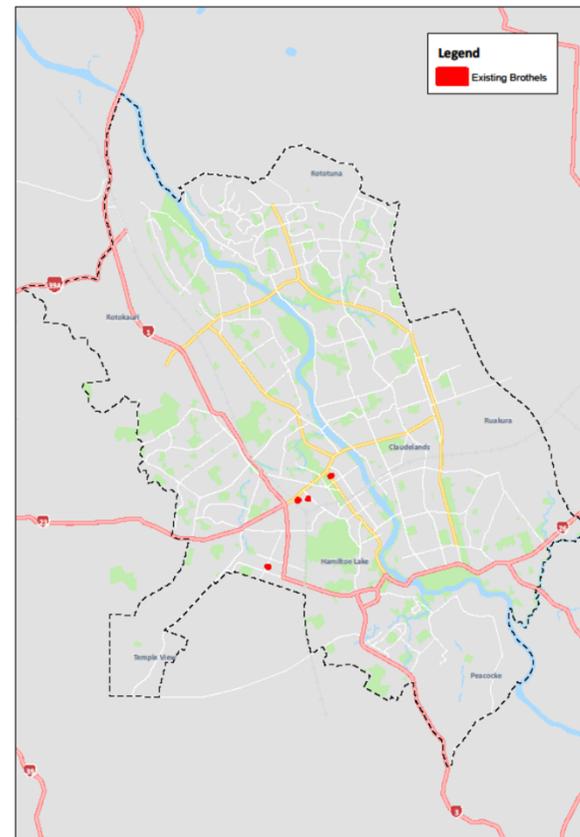
Update on the legislative 10 yearly review of the Prostitution Bylaw and seek direction.

# Prostitution Reform Act 2003

- Enables prostitution – it's lawful.
- Requires all sex workers to adopt and promote safer sex practices.
- Requires operators to have a certificate (25 applications in Hamilton since 2012).
- Restricts advertising on radio, tv, newspapers (except classifieds).
- Prohibits under 18 being sex workers.
- Enables councils to have bylaws restricting brothel locations and signage.

# Existing Brothels

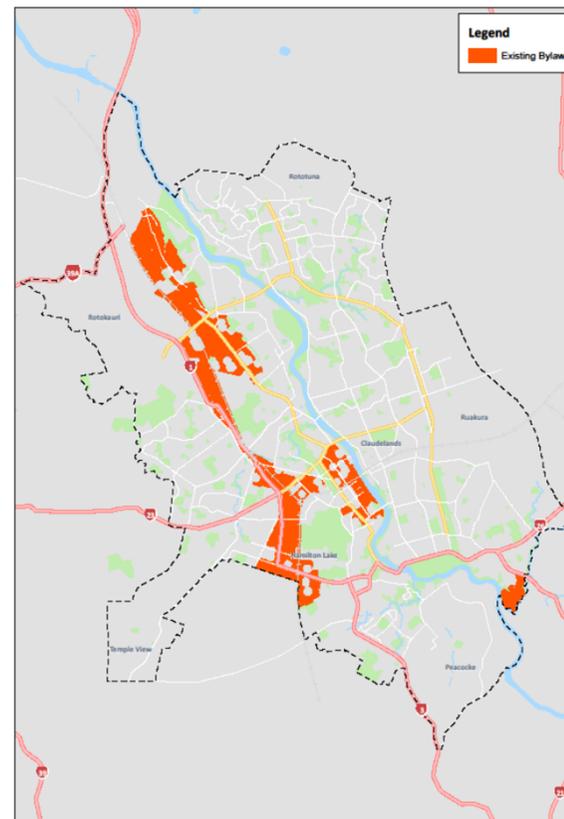
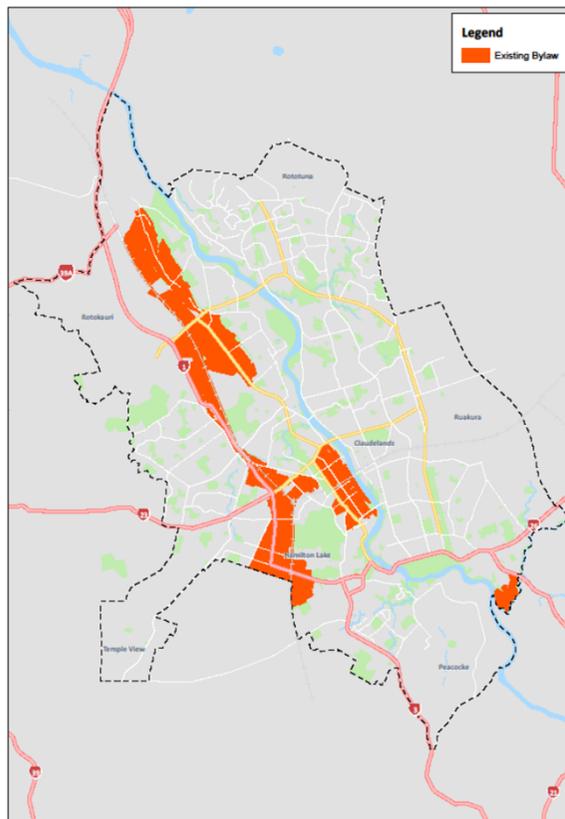
- Playmates (85 Higgins Road)
- Zhou Sheng Chinese Massage (62 High Street)
- Bordello's (3 Keddell St)
- California Girls (340 Tristram Street)



# Existing Bylaw - Outline

- Originally adopted in 2004, reviewed in 2009 (legislative requirement) and retained, review required again now (legislative requirement).
- Map displays where brothels permitted.
- Brothel is any place where prostitution occurs except motels, hotels, etc.
- Must be 100m away from Schools, Early Childhood Centres, Marae and Places of Worship.
- No soliciting on streets.
- Signage restricted to 2m<sup>2</sup>, non-flashing.
- Fine (not exceeding \$20,000) but must be convicted by Court first. (s242(4), LGA).
- 29 Complaints (7 years) – No prosecutions/convictions.
- Legally challenged on being too restrictive and successfully defended. Solicitation element not challenged.

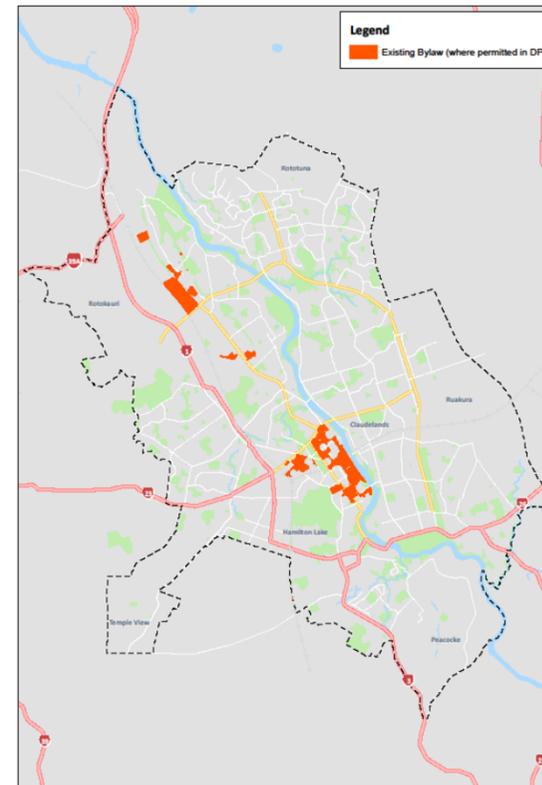
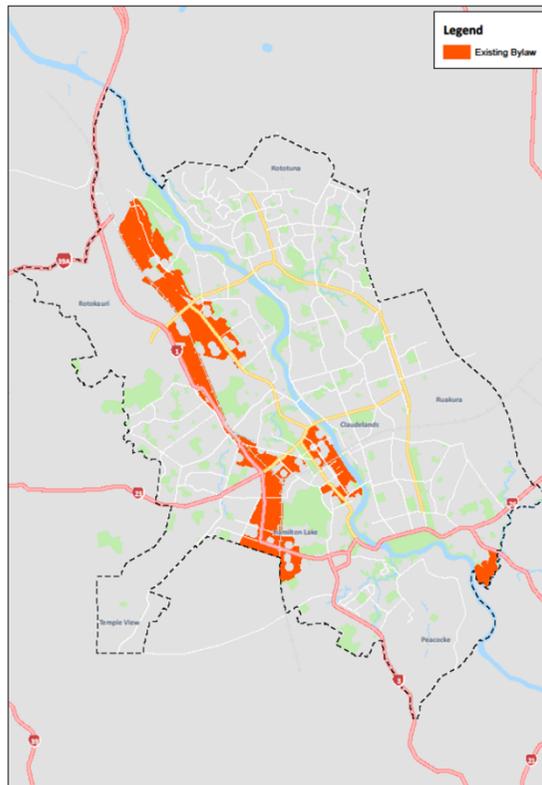
# Existing Bylaw



# Legal Review – Existing Bylaw

- Public consultation required if continued without amendment, amended, revoked.
- Bylaw legal and enforceable except ‘solicitation’.
- Revision of definitions reference required:
  - Education Act (inaccurate)
  - District Plan (no longer relevant)
- Zones where prostitution allowed have changed since 2009 review (District Plan change):
  - Retail Non-Complying in Industrial Zones so brothels no longer permitted

# Effect of District Plan Change Since Last Review (Permitted Areas)



# Initial Stakeholders Consulted

## – Existing Bylaw

- **Aids Foundation** (Written)
- **Hamilton Central Business Association (HCBA)** (Verbal)
- **Ministry of Education** (Verbal/Written)
- **National Council of Women NZ (NCWNZ)** (Verbal)
- **NZ Federation of Business and Professional Woman Incorporated (BPW NZ)** (Verbal/Written)
- **NZ Police** (Verbal/Written)
- **NZ Prostitutes Collective (NZPC)** (Verbal/Written)
- **Shama** (Verbal/Written)
- **Te Runanga o Kirikiriroa – Maataa waka** (Verbal)
- **Te Haa o te Whenua o Kirikiriroa (THAWK) – Mana Whenua** (Verbal/Written)
- **Waikato Interfaith Council** (Verbal)
- **Waikato DHB** (Verbal/Written)
- **YWCA Waikato** (Written/Verbal)

# Stakeholder Views (no view)

- **Waikato DHB** – Role relates to promotion of safe sex practices by sex workers. Bylaw beyond statutory role.

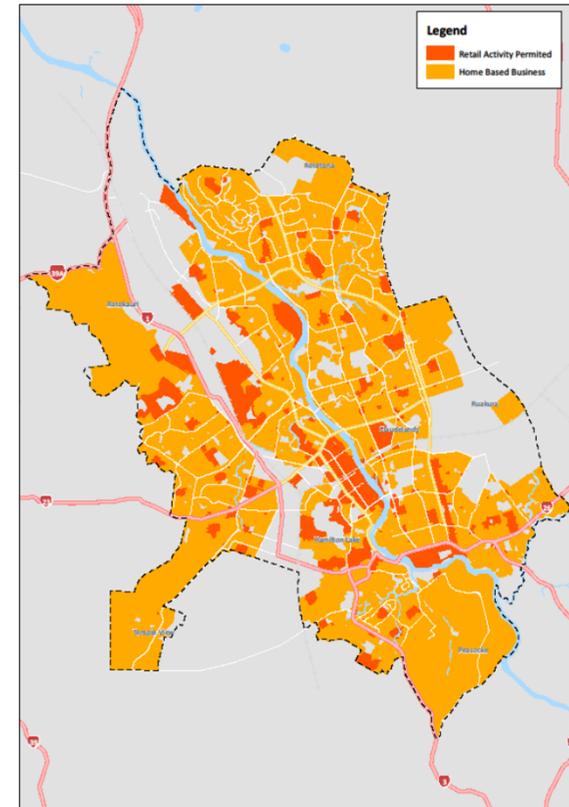
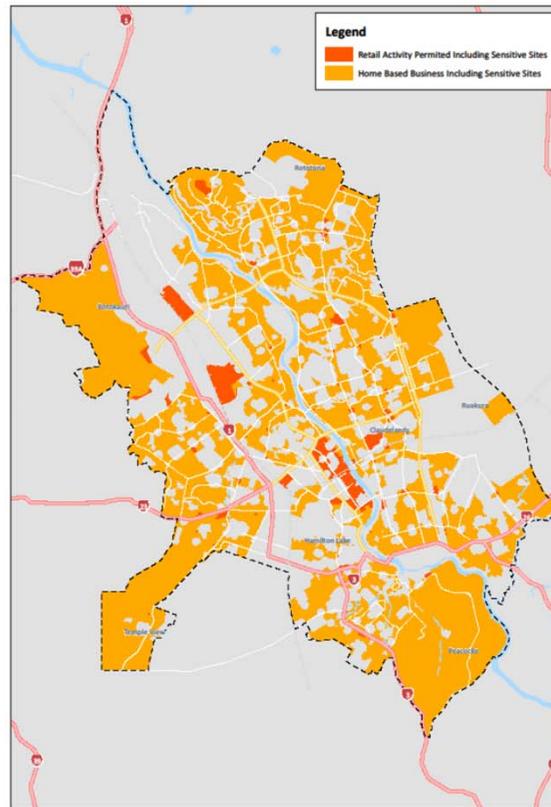
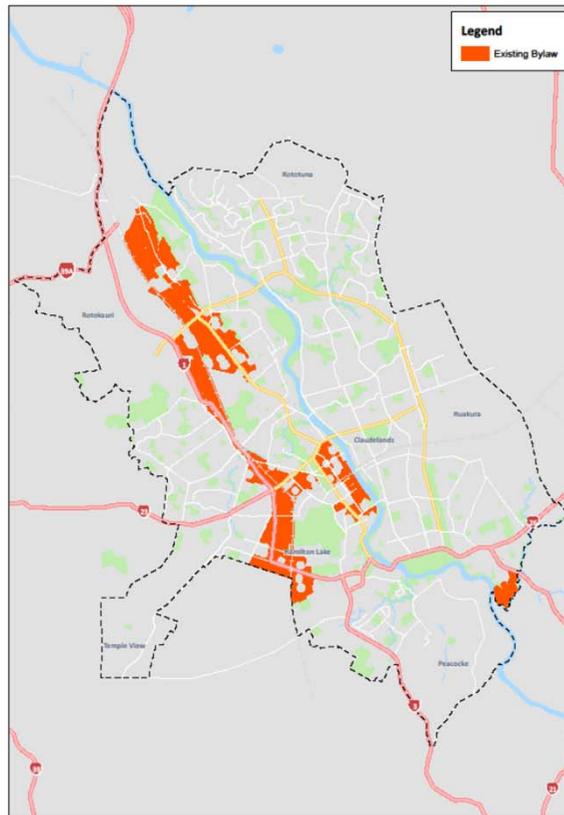
# Stakeholders Views (in favour of status quo)

- **BPW NZ** – Support its continuation with current wording.
- **HCBA** – No complaints therefore support its continuation.
- **Ministry of Education** – Happy with current Bylaw and feel it is working well.
- **Mana Whenua and Maataa waka** – Retain existing Bylaw.
- **NCWNZ** – If no complaints then probably doing its job, do not advocate to revise or revoke.
- **NZ Police** – No reason to change current Bylaw.
- **Shama** – Working well and no issues with it.
- **Waikato Interfaith** – Bylaw seems to be working, should remain restricted to non-residential areas and no major issue except want clarity re 100m from Sensitive site in Bylaw ‘Radius’.
- **YWCA Waikato** – Support the Bylaw as adopted in 2009.

# Stakeholder Views (not in favour of status quo)

- **Aids Foundation** – Sex workers should have option to work independently, they otherwise work in contravention of Bylaw and do not make known any exploitation. Prohibiting soliciting is contrary to the PRA.
- **NZPC** – No Bylaw ideal as prostitution is lawful. Is a discreet industry. Sex workers operating in homes anyway so should be allowed under the Bylaw, the Bylaw just endorses vulnerability given sex workers unwillingness to report violent offending to Police. District Plan designed to regulate impacts on neighbours for home based businesses. Two larger cities (Auckland and Wellington) rely on District Plan in place of Bylaw. Maps in Hamilton Bylaw unclear where sex work is permitted.

# Stakeholder Views - Existing, Amended, No Bylaw (Maps)



# Effect of No or Amended Bylaw

- No Bylaw
  - District Plan rules apply where permitted (either retail or home based).
- Amended Bylaw
  - District Plan rules apply where permitted (either retail or home based) as well as sensitive sites.

# Retail Activity (District Plan)

- District Plan Criteria
  - Unlimited employees.
  - No hour restrictions for vehicle/pedestrian.
  - Signage attached (1m<sup>2</sup> for each m<sup>2</sup> frontage) or freestanding (up to 10m<sup>2</sup>).
  - Flashing or moving signage require Resource Consents.
  - Various floor m<sup>2</sup> (from 150m<sup>2</sup>).

# Home Based Business (District Plan)

- District Plan Criteria
  - Two people permitted, one must be the resident.
  - No vehicle/pedestrians between 8pm-8am.
  - Signage up to .6m<sup>2</sup>, attached to fence, wall or building.
  - No more than 30% of floor space in building.
- Auckland, Wellington, Christchurch, Tauranga (Consulting on) allowing SOOBs (4 independent workers) in residential zones.

# Public Consultation

- Required to consult, 10 yearly review, District Plan change, have to provide options in consultation under s82A LGA:
  - Existing Bylaw
  - Amended Bylaw
    - remove solicitation?
    - areas where prostitution allowed?
    - existing signage restrictions?
  - No Bylaw

# Next Steps (Proposed dates)

- Determination by Council **14 March**
- Public Consultation **18 March – 18 April**
- Hearings by R&H **22 May**
- Deliberation by CSE **25 June**
- Approval by Council **27 June**

# Questions / Direction

- What options should staff work on for 14 March?
- What further information is needed?

# Rates

## Separately Used or Inhabited Parts (SUIP's)



# Separately Used or Inhabited Parts (SUIP's)

## Today's Session:

- A quick recap
  - the UAGC and SUIP
  - other Councils
  - forming the definition
- Some examples – ‘Studio Apartments’
- Questions?

# Separately Used or Inhabited Parts (SUIP's)

- Always had a definition
- Reviewed as part of the 2018-28 10YP

## SEPARATELY USED OR INHABITED PART OF A RATING UNIT (SUIP) - DEFINITION

Any part of a rating unit that is, or is able to be, separately used or inhabited by the ratepayer, or by any other person or body having a right to use or inhabit that part by virtue of a tenancy, lease, licence, or other agreement.

For example, this means that each flat within a block of flats, or each shop within a block of shops, would be charged the relevant targeted rate. The same would apply to a farm with more than one dwelling, (i.e. worker accommodation), or a residential property with a separate fully self contained unit available for visitor accommodation.

Each use that involves a different activity that is conducted by a person, company, or organisation different to the ratepayer is considered to be a separate use. For example, if a photographic processing franchise operated within a store is operated by the store's staff, it is not a separate use. However if the same franchise is operated by a person, company, or organisation different to the store operator, it is considered a separate use.

# Separately Used or Inhabited Parts (SUIP's)

## UAGC & SUIPs

- UAGC forms **part of the general rate**
- UAGC must be **same \$ amount** for **all** ratepayers
- Can be applied on a rating unit **or** SUIP basis
- There is **no legislative definition** of an SUIP
- The definition of a SUIP **differs across Councils**
- SUIP definition **can be reviewed each year** as part of the Annual Plan

# Separately Used or Inhabited Parts (SUIP's)

## UAGC & SUIPs - 2018/19 Residential Comparisons

Council	UAGC	SUIP or RU	Other Fixed rates	How?
Hamilton	\$165 ↑	SUIP	\$11.50 (Hamilton Gardens)	SUIP
Auckland	\$414	SUIP	\$165 (Refuse collection) \$218 (Wastewater - Watercare)	SUIP Connection
Dunedin	\$0	-	\$233 (community services) \$66 (kerbside recycling) \$535 (drainage -connected) \$387 (water)	SUIP SUIP SUIP Connection
Christchurch	\$117	SUIP	\$146 (recycling/organic collection) \$20 (active travel) \$6.50 (special heritage/Cathedral)	Collection SUIP SUIP
Waikato	\$352	Rating Unit	\$223 (water connection) \$25 (community Facilities) \$1,021 (wastewater connection) \$167 (stormwater) \$20 (Community Boards) \$160 (Refuse Collection)	SUIP SUIP SUIP Rating Unit Rating Unit Dwelling

# Separately Used or Inhabited Parts (SUIP's)

## UAGC & SUIPs - 2018/19 Residential Comparisons (cont.)

Council	UAGC	SUIP or RU	Other Fixed rates	How?
Tauranga	\$720 ↓	SUIP	\$443 (wastewater) \$26 (glass collection)	Connection Collection
Queenstown	\$75	SUIP	\$373 (sports, Halls and Libraries) \$80 (governance and regulatory) \$161 (recreation and Events) \$96 (aquatic Centre charge) \$260 (water supply) \$646 (sewerage charge) \$152 (waste management)	SUIP SUIP SUIP SUIP SUIP Connection SUIP
Waipa (Cambridge)	\$606	SUIP	\$360 (ward rate) \$10 (community sports hall) \$493 (sewerage – connected) \$52 (recycling collection)	Rating Unit Rating Unit Rating Unit SUIP
Wellington	\$0	-	\$134 (sewerage) \$185 (water)	Rating Unit Rating Unit

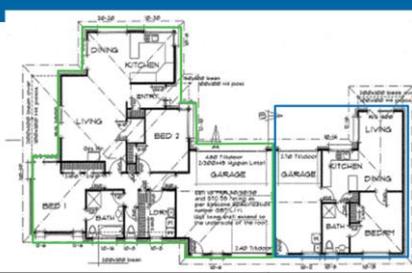
# Separately Used or Inhabited Parts (SUIP's)

## Forming the SUIP definition

### One title - two dwellings



### One or Two?



### Change of Use Commercial to Residential – 13 SUIPs?



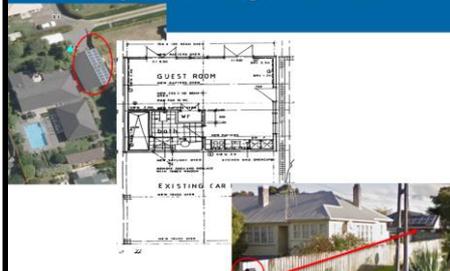
Land Use Consent granted to convert existing 13 unit motel into 13 unit apartment development (Bavarian Motel Lodge)



### Flat above commercial – 2 rating units



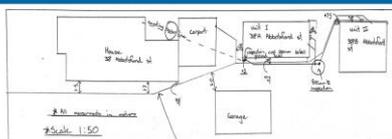
### Ancillary Dwelling – 2 SUIPs?



### One or two?



### Ancillary Dwelling – 3 SUIPs



### Typical multi-unit - Four SUIPs?



### Going..Going..MUST GO

Dinsdale, 180A Tuhikaramea Road

Contact agent for more information

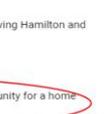
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### About this listing

After 21 years of owning this elevated double brick property, they are leaving Hamilton and want to SELL!

Offering 4 bedrooms, 2 bathrooms, 2 living rooms and 2 kitchens.

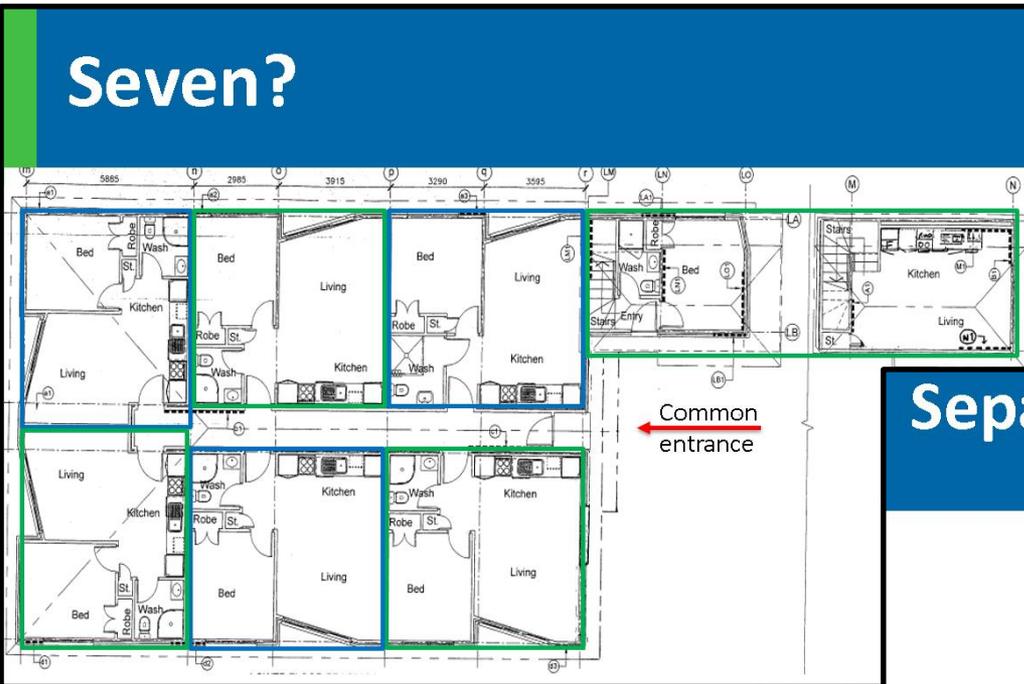
The downstairs area is on a separate power metre, giving a great opportunity for a home and income or extended family scenario.



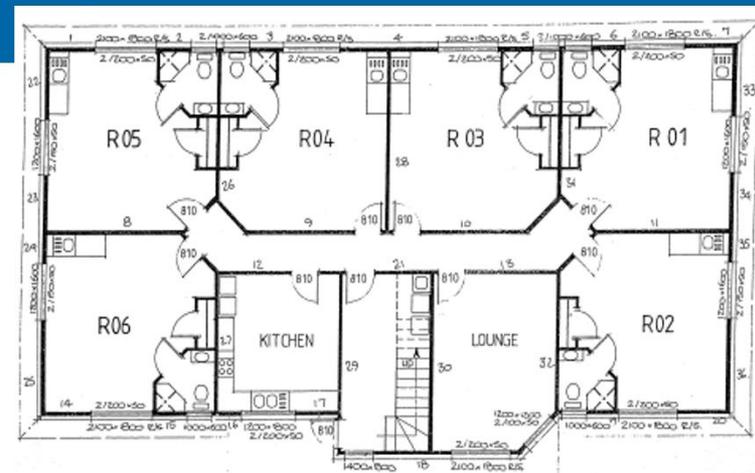
REALTY PARTNERS LTD

# Separately Used or Inhabited Parts (SUIP's) Forming the SUIP definition

Seven?



Separately rented units: SUIPs?



FLOOR PLAN—6 rooms, each with an ensuite, kitchenette and a communal lounge, kitchen & laundry. No garaging .

# Separately Used or Inhabited Parts (SUIP's)

The introduction and application of the UAGC is based on the assessment of the overall impact of rates.



# Separately Used or Inhabited Parts (SUIP's)

Lets look at some examples and how this impacts individual rates .....

Are the rates appropriate?

# Separately Used or Inhabited Parts (SUIP's)

## Block of flats on same title - each a separate SUIP



Sourced via google streetview

Rating year	Rating units	SUIPs	UAGC	Rates
2017/18 CV 30%	1	12	-	\$7,530
2018/19 CV 53%	1	12	\$165	\$9,331
2019/20 CV 77%	1	12	\$349	\$12,330 estimated
2020/21 CV 100%	1	12	\$539	\$14,100 estimated

2018 CV \$2,150,000

# Separately Used or Inhabited Part of a Rating Unit (SUIP) definition

## Separately used or inhabited part of a rating unit (SUIP)

A SUIP is every rating unit and, without limitation, every additional dwelling, commercial or community activity. This includes:

- a) any part or parts of a rating unit that is used or occupied by the ratepayer for more than one single use.
- b) any parts, whether or not actually occupied at any particular time, which are used for rental (or other form of occupation) on an occasional or long-term basis.
- c) vacant land and vacant premises offered or intended for use or habitation and usually used as such are defined as 'used'.

For the purposes of clarity, every rating unit has a minimum of one SUIP.

As part of this definition, the list below sets out the Council's intent in the application of SUIPs to rating units that are used as for residential purposes:

- The second and each additional SUIP must have a separate bathroom, bedroom or living area and separate sink.
- Any part of a rating unit as described above (a-c) and is inhabited by virtue of a tenancy, lease, license or other agreement on an occasional or long-term basis.
- Single dwelling with flat attached.
- Two or more houses, flats or apartments on one rating unit.
- Ancillary flat or detached dwellings (as defined in the Hamilton District Plan)

As part of this definition, the list below sets out the Council's intent in the application of SUIPs to rating units that are used as for residential purposes:

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- Single dwelling with flat attached.

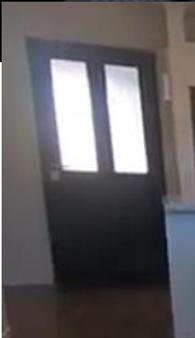
is a separate business entity)

- Commercial building leased, or sub-leased, to multiple tenants.
- A separate dwelling used for short-term accommodation.
- Commercial accommodation provided on a single rating unit for short-term stays (where average occupancy is limited as prescribed within Councils District Plan) will be one Separately Used or Inhabited Part.

In addition to the primary use, the list below defines the Council's intent in the application of SUIPs to rating units that are used as community activities:

- A community activity is any activity operated by an organisation (including clubs and societies).
- Any activity that meets the definition of Schedule 1 of the Local Government Rating Act 2002.

# Separately Used or Inhabited Parts (SUIP's) 'Studio Apartments'



# Separately Used or Inhabited Parts (SUIP's)

Bedroom/living area, bathroom and separate sink = SUIP



Rating year	Rating Units	SUIPs	UAGC	Rates
2017/18 CV 30%	1	1	-	\$1,504
2018/19 CV 53%	1	4	\$165	\$2,340
2019/20 CV 77%	1	4	\$349	\$3,500 estimated
2020/21 CV 100%	1	4	\$539	\$4,380 estimated
2020/21 CV 100%	1	1	\$539	\$2,770 estimated

2018 CV \$620,000

If 'studio apartment'  
excluded as  
additional SUIP



# Separately Used or Inhabited Parts (SUIP's)

Bedroom/living area, bathroom and separate sink = SUIP



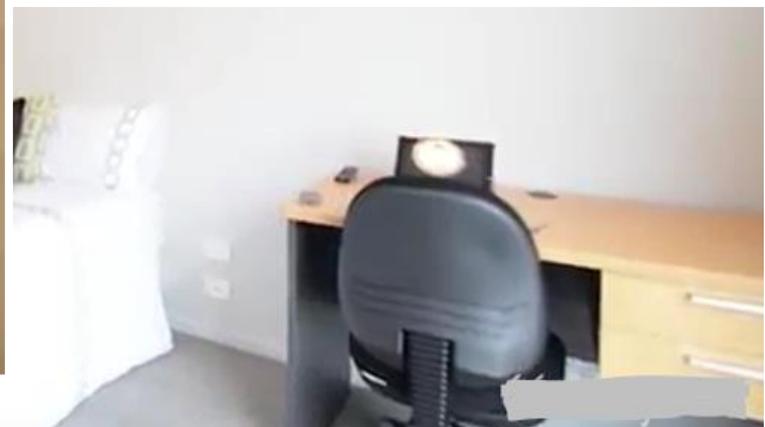
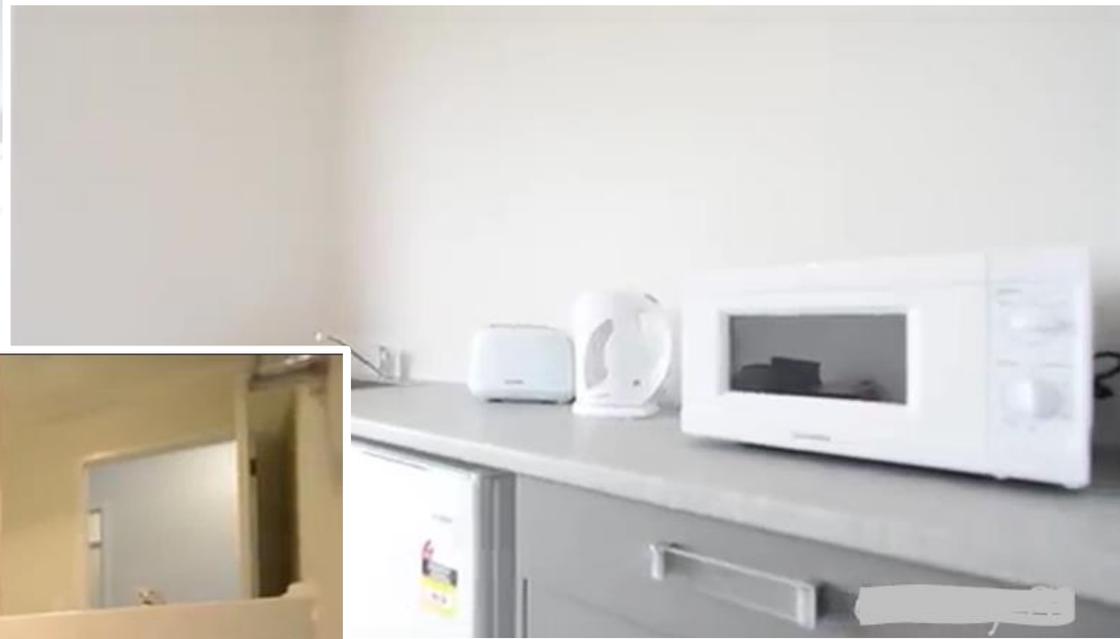
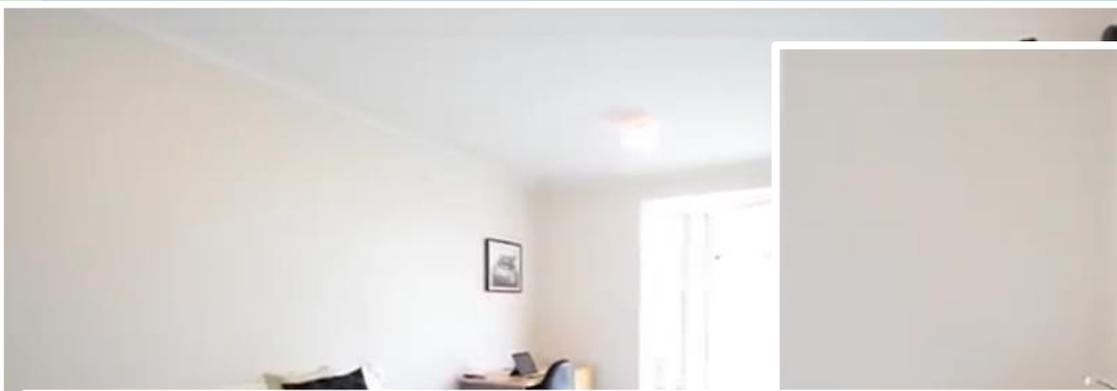
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# Separately Used or Inhabited Parts (SUIP's)

Bedroom/living area, bathroom and separate sink = SUIP



Rating year	Units	SUIPs	UAGC	Rates
2017/18 CV 30%	1	1	-	\$1,458
2018/19 CV 53%	1	4	\$165	\$2,310
2019/20 CV 77%	1	4	\$349	\$3,040 estimated
2020/21 CV 100%	1	4	\$539	\$3,900 estimated
2020/21 CV 100%	1	1	\$539	\$2,300 estimated

2018 CV \$480,000

If 'studio apartment'  
excluded as  
additional SUIP



# Separately Used or Inhabited Parts (SUIP's)

- Family or rental use?
- Rates are set based on the Rating Information as at 30 June
- SUIP numbers reduce = UAGC income shifts to the general rate (or rates income reduces)
- Questions?